

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**BLACK WARRIOR RIVER-)
KEEPER, INC.,)
)
Plaintiff,)
) **Case No. 2:16-cv-01443-AKK**
v.)
)
**DRUMMOND COMPANY, INC.,)
)
Defendant.)
)****

**BLACK WARRIOR RIVERKEEPER'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56 and in accordance with Appendix II to the Court's Scheduling Order, ECF No. 16, Plaintiff Black Warrior Riverkeeper moves for partial summary judgment on Counts I and IV as to the liability of Defendant Drummond Company for violations of the Clean Water Act and the Resource Conservation and Recovery Act. In support of this motion, Plaintiff relies upon and incorporates herein its supporting memorandum of law and evidentiary submission, filed herewith, which demonstrate that there is no genuine dispute as to any material fact, and Plaintiff is entitled to judgment as a matter of law.

Respectfully submitted this 15th day of August, 2018.

s/Barry Brock

Barry Brock (ASB-9137-B61B)
Christina Andreen (ASB-9696-D10R)
Southern Environmental Law Center
2829 Second Avenue S., Ste. 282
Birmingham, AL 35233
tel: (205) 745-3060
fax: (205) 745-3064
bbrock@selcal.org
candreen@selcal.org

James Hecker
Public Justice
1620 L Street NW, Ste. 630
Washington, DC 20006
tel: (202) 797-8600
fax: (202) 232-7203
jhecker@publicjustice.net

Eva L. Dillard (ASB-4118-A59E)
Black Warrior Riverkeeper, Inc.
710 37th Street South
Birmingham, AL 35222-3206
tel: (205) 458-0095
fax: (205) 458-0094
edillard@blackwarriorriver.org

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2018, the foregoing Black Warrior Riverkeeper's Motion for Partial Summary Judgment was filed with the Clerk of Court using the CM/ECF system which will send notifications of such filing and service copies to the following:

William A. Davis, III
Richard E. Davis
Alfred H. Perkins, Jr.
Starnes Davis Florie, LLP
100 Brookwood Place, 7th Floor
Telephone: (205) 868-6000
Facsimile: (205) 868-6099
Birmingham, AL 35209
RDavis@starneslaw.com
TDavis@starneslaw.com
APerkins@starneslaw.com

Attorneys for Defendant

s/Barry Brock
Barry Brock